UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1993/71
7 January 1993

ENGLISH
Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Item 4 of the provisional agenda

# QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

## Letter dated 18 December 1992 from the Permanent Observer for Palestine to the United Nations and other international organizations at Geneva addressed to the Under-Secretary-General for Human Rights

The Israeli Government took the decision, on 16 December 1992, to deport 418 Palestinians, among the 1,250 arrested and imprisoned a few days ago. Last night, 17 December, the Israeli Government implemented this decision by deporting these people from their homeland in a mass deportation process, gravely violating once again the principles of international law, the provisions of international humanitarian law and of the Fourth Geneva Convention of 12 August 1949. This violation constitutes a new war crime according to the principles of international law.

In the meantime, such a process constitutes a new Israeli rejection of the resolutions of the Security Council, the General Assembly and the Commission on Human Rights as well as a disregard of the repeated appeals of the International Committee of the Red Cross to the Israeli Government to refrain from deporting Palestinian citizens from their homeland.

The decision of the Israeli Government on the mass deportation of the Palestinians, without trial, illustrates the war policy practised by this Government against the Palestinian people since 1948, in violation of article 3 of the Fourth Geneva Convention, as well as it shows Israel's real stand against peace and against the peace process, although it claims to be in favour of it, thus misleading world public opinion and perpetrating, at the same time, acts aiming at banishing any hope for peace.

It is a multi-aspect war crime, containing deportation of the population by the Israeli occupation authorities in a grave violation of article 49 of the Fourth Geneva Convention, but also containing an aspect of collective punishment in a grave violation of article 33 of the same Convention, as well as of the principles of international law, and an aspect of physical destruction of the families of the deportees who will now face poverty, hunger, illness and death, due to the prolonged absence of these persons who had the responsibility of covering the vital needs of their families, this aspect constituting a grave violation of paragraph (c) of article III of the Convention on the Prevention and Punishment of the Crime of Genocide. This crime against humanity now takes a new direction towards an unconfessed but effective sort of "ethnic cleansing", as such a mass deportation of 418 persons affects, in fact, more than 2,000 people at a time, that is, not only the deportees themselves, but each and every member of their families remaining in the cccupied territories.

Before this grave situation, we kindly request you to act with the Chairman of the Commission on Human Rights and intervene to urge Israel to allow the Palestinian deportees to return safely to their homelands, thus respecting its commitments as party to the Geneva Convention and as a Member State of the United Nations, and to abide by the provisions of the Charter of the United Nations and the United Nations resolutions on the applicability of the Fourth Geneva Convention of 1949 to the occupied Palestinian territories and on the prevention of the deportation of Palestinian citizens from their homeland. We finally request you to consider the present memorandum as an official document of the forty-ninth session of the Commission on Human Rights.

(Signed) Nabil Ramlawi
Permanent Observer for Palestine

---

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1993/72
7 January 1993

ENGLISH
Original: ARABIC

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Item 4 of the provisional agenda

# QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

## Letter dated 21 December 1992 from the Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to address you, on behalf of the Government of the Hashemite Kingdom of Jordan, concerning the intolerable situation that Israel is creating in the occupied Arab territories in the West Bank and Gaza Strip, all the horrific details of which the entire world is witnessing on television screens during these very days on which it is celebrating the birth of Christ, who began his divine mission in Palestine as a messenger of peace and human justice.

In the West Bank and Gaza Strip, Israel is currently committing the most odious violations of the provisions of international law, United Nations resolutions and the relevant International Covenants and Geneva Conventions. It is ironic that Israeli political leaders are brazenly boasting of their defence of human rights while the Israeli judiciary is arrogating to itself the right to interpret the International Covenants and the Geneva Conventions, in whatever manner it wishes, in a transparent attempt to cover with a veil of dubious and non-existent legality the iniquitous measures which the Israeli authorities are taking, in violation of international law, against the population of the West Bank and Gaza Strip by expelling a group of Palestinians outside the borders of the territories that Israel is occupying.

Under international law, Israel, as the occupying Power, is prohibited from transferring persons living under occupation to the territory of others and from imposing iniquitous and inhuman measures on the population of the West Bank and Gaza Strip.

Mr. Chairman, at this most crucial moment I feel fully justified in addressing you on this vital matter in your capacity as Chairman of the Commission on Human Rights which, in accordance with its terms of reference, bears primary responsibility within the framework of the United Nations for monitoring and drawing worldwide attention to violations of human rights.

I respectfully call upon you to draw worldwide attention to this issue, as a matter of urgency, and to adopt a legal and humanitarian position in keeping with the Charter of the United Nations, the Universal Declaration of Human Rights, international law and resolutions, the Geneva Conventions and the mandate of the Commission on Human Rights over which you are presiding.

My country's Government requests the Commission on Human Rights to condemn the expulsion measures, to demand their revocation and the elimination of their consequences, and to call upon Israel to totally refrain from such measures and to respect international law and the Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War, bearing in mind Security Council resolutions 605 (1987), 607 (1988), 608 (1988), 636 (1989), 681 (1990) and 726 (1992), the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories which was submitted to the General Assembly, and the Red Cross declarations of 18 and 19 August 1988 and 21 May 1992 on Israel's violations of the Geneva Conventions.

It is only natural that the Commission on Human Rights should add its voice to the general condemnation of Israel's conduct. I would also be grateful, Mr. Chairman, if you would circulate this letter among the members of the Commission on Human Rights as an official document.

(Signed) Fawaz Sharaf
Ambassador, Permanent Representative

---